

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
TBC CONSOLES, Inc.,

Plaintiff,  
-against-

FORECAST CONSOLES, Inc.,

Defendant.

-----X  
KIMBA M. WOOD, U.S.D.J.:

Plaintiff seeks a declaratory judgment against Defendant with respect to an alleged patent infringement. By Order dated December 19, 2005, the Court stayed proceedings in this case, pending the resolution of a U.S. Patent and Trademark Office reexamination proceeding regarding the underlying patent at issue (Dkt. No. 12). Also by that Order, the Court directed the parties to notify the Court as to the status of this case and provide a new proposed joint scheduling order and discovery plan, within thirty days of the resolution of the reexamination proceeding. Since then, the Court has received no information as to the status of this case.

Therefore, no later than November 9, 2007, the parties shall submit a joint letter to the Court describing the status of this case and whether the stay of proceedings is still appropriate.

SO ORDERED.

Dated: New York, New York  
November 1, 2007

Kimba M. Wood  
Kimba M. Wood  
United States District Judge

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: <u>11/5/07</u>

05 Civ. 2756 (KMW) (AJP)

ORDER